

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI

IN THE MATTER OF:

CHAPTER 13 NO.:

NATHANIEL STEELE, JR. and
LATESSA R. STEELE

11-14174 – JDW

**TRUSTEE'S RESPONSE TO DEBTOR'S
MOTION TO MODIFY CONFIRMED PLAN AND FOR OTHER RELIEF**

COMES NOW Trustee, Locke D. Barkley, by and through counsel, and files this Response to Debtor's *Motion to Modify Confirmed Plan and Other Relief* (Dkt. #26); and in support thereof states as follows:

1. Trustee admits the allegations in paragraph 1 of Debtors' motion.
2. Trustee admits the allegations in paragraph 2 of Debtors' motion. As of the date of the filing of this motion, Cash Unlimited, Inc. is due a balance of \$10,682.11 plus 7% interest.
3. Trustee does not have sufficient information to affirm or deny the allegations of paragraph 3 of Debtor's motion. Therefore, Trustee denies the allegations.
4. Trustee requests that the Court deny the requests in paragraph 4 and the last unnumbered paragraph of Debtors' motion.
5. Trustee alleges that the requested modification is not feasible.
6. Trustee further alleges that the requested modification has not been filed in good faith as Debtors' plan was confirmed to pay nothing to their general unsecured creditors. Said modification should not be allowed absent a provision to pay general unsecured creditors in full over the remaining plan term.

7. Trustee requests for this Court deny Debtor's motion.

WHEREFORE, PREMISES CONSIDERED, Trustee prays that this Response be received and filed and upon a hearing hereon, this Court will enter its Order denying Debtor's motion. Trustee also requests such other relief to which Trustee and this bankruptcy estate may be entitled.

Dated: July 25, 2013

Respectfully submitted,

LOCKE D. BARKLEY, TRUSTEE

/s/ G. Adam Sanford
ATTORNEYS FOR TRUSTEE
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C E R T I F I C A T E

I, the undersigned Attorney for Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the following attorneys of record and/or parties of interest:

Office of the U. S. Trustee
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Dated: July 25, 2013

/s/ G. Adam Sanford
G. ADAM SANFORD